

Exhibit A

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA ex rel.,
GREGORY W. THORPE, et al.,

Plaintiffs,

v.

GLAXOSMITHKLINE PLC, et al.

Defendants.

Civil Case No. 03-10641-RWZ

Civil Case No. 03-10398-RWZ

**CROSS & BENNETT, L.L.C.'S
NOTICE OF INTENTION TO ENFORCE ATTORNEY'S LIEN**

PLEASE TAKE NOTICE that the law firm of Cross & Bennett, L.L.C. (hereinafter, "Cross & Bennett"), by its undersigned counsel, hereby provides notice of its intention to enforce an Attorney's Lien, pursuant to Colorado Revised Statutes §§ 12-5-119 and 12-5-120. In support of this Notice, Cross & Bennett state as follows:

1. On November 27, 2002, Plaintiffs and Relators Gregory W. Thorpe and Blair Hamrick (hereinafter, "Thorpe and Hamrick") retained Cross & Bennett, through attorneys Keith Cross, Esq., and Joseph F. Bennett, Esq., to represent them in 1:03-cv-00008-WYD-BNBC, in the United States District Court for the District of Colorado.

2. The compensation agreement between Cross & Bennett and Thorpe and Hamrick is set forth in the operative written Contingent Fee Agreement (the "Agreement") dated February 1, 2007. This Agreement superseded a written Contingent Fee Agreement executed on November 27, 2002. The nature of the compensation Thorpe and Hamrick agreed to pay Cross & Bennett is detailed in the Agreement. Further, Cross & Bennett agreed to advance money for

costs related to the matter and in the event of settlement or judgment, these costs would be reimbursed in full.

3. On or about October 21, 2009, Thorpe and Hamrick terminated the services of Cross & Bennett without cause.

4. On November 12, 2009, Cross & Bennett filed a Notice of Attorney's Lien in 1:03-cv-00008-WYD-BNLC.¹ Relevant portions of the Notice of Attorney's Lien are attached hereto as Exhibit A. The Attorney's Lien claimed a lien upon a portion of all monies, properties, choses in action, claims and demands in suit, upon any property which may be awarded to the Thorpe and Hamrick in this matter and upon any and all Relator shares, regardless of the source of those shares, and upon any money due to Thorpe and Hamrick in the hands of Defendants SMITH KLINE BEECHAM INC. and GLAXOSMITHKLINE PLC d/b/a GLAXOSMITHKLINE, the United States of America, the Department of Justice, and the states of California, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, Minnesota, North Carolina and Wisconsin, and the District of Columbia, and any other state that is a participant in the settlement or judgment in the instant case, or in the currently sealed case of *United States ex rel. Gerahty* in the United States District Court for the District of Massachusetts, or in *any other sealed or unsealed* case against Defendants arising from or related to the same causes of action.

¹ A complete version of the Notice of Attorney's Lien, including the Agreement and the first Contingent Fee Agreement, was filed as document #71 with the District of Colorado in 1:03-cv-00008-WYD-BNLC on November 12, 2009. On information and belief, the complete Notice of Attorney's Lien was transferred to the District of Massachusetts by the District of Colorado, but not uploaded to the electronic docket here.

5. On March 7, 2011, 1:03-cv-00008-WYD-BNBC was transferred to the United States District Court for the District of Massachusetts and assigned case number 1:11-cv-10398-RWZ. On April 5, 2011, the Court consolidated 1:11-cv-10398-RWZ into case 1:03-cv-10641-RWZ.

6. On July 2, 2012, the Department of Justice announced that GLAXOSMITHKLINE had agreed to plead guilty and pay \$3 billion to resolve its criminal and civil liability arising from the company's unlawful promotion of certain prescription drugs, its failure to report certain safety data, and its civil liability for alleged false price reporting practices.

7. On information and belief, share payments to Thorpe and Hamrick are imminent.

8. Thorpe and Hamrick are indebted to Cross & Bennett for a portion of all Relator shares, monies, properties, choses in action, claims and demands in suit, upon any property which may be awarded to Thorpe and Hamrick in this matter, and upon any money due to Thorpe and Hamrick, including all relator share payments from the United States of America and all relator share payments made from any of the states participating in the settlement or judgment of this matter.

9. As soon as practicable, Cross & Bennett will, *inter alia*, file a Motion to Intervene for purposes of enforcing the Attorney Lien.

Dated: July 25, 2012

Respectfully submitted,

CROSS & BENNETT, L.L.C.

/s/ Allison D. Burroughs

Allison D. Burroughs (BBO # 609346)

Benjamin L. Mack (BBO # 661590)

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CERTIFICATE OF SERVICE

I hereby certify that, on July 25, 2012, this document (filed through the ECF system) will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: July 25, 2012

/s/ Allison D. Burroughs

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Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

CIVIL ACTION NO: 03 CV 00008 WYD - BNB

UNITED STATES OF AMERICA ex rel. GREGORY W. THORPE and BLAIR HAMRICK,
Plaintiffs,

vs

SMITH KLINE BEECHAM INC. and GLAXOSMITHKLINE PLC d/b/a
GLAXOSMITHKLINE, Defendants.

NOTICE OF ATTORNEY'S LIEN

PLEASE TAKE NOTICE that pursuant to C.R.S. §§ 12-5-119 and 12-5-120, the law firm of Cross & Bennett, L.L.C. (herein, "Cross & Bennett") claims an attorney's lien upon a portion of all monies, properties, choses in action, claims and demands in suit, upon any property which may be awarded to the Relators in this matter and upon any and all Relator shares, regardless of the source of those shares, and upon any money due to the Relators and Plaintiffs in the hands of Defendants SMITH KLINE BEECHAM INC. and GLAXOSMITHKLINE PLC d/b/a GLAXOSMITHKLINE, the United States of America, the Department of Justice, and the states of California, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, Minnesota, North Carolina and Wisconsin, and the District of Columbia, and any other state that is a participant in the settlement or judgment in the instant case, or in the currently sealed case of *United States ex rel. Gerahty v. GlaxoSmithKline PLC and SMITHKLINEBEECHAM PLC*, C.A. No. 1 03-CV-10641-NG filed

in the United States District Court for the District of Massachusetts, or in any other sealed or unsealed case against Defendants arising from or related to the same causes of action. As grounds therefore, the undersigned attorneys state the following:

1. On November 27, 2002, Relators Thorpe and Hamrick retained Cross & Bennett to represent them in this action through attorneys Keith Cross, Esq., and Joseph F. Bennett, Esq.

2. The compensation agreement between Cross & Bennett and the Relators is set forth in the operative written Contingent Fee Agreement (the "Agreement") dated February 1, 2007. This Agreement superseded a written Contingent Fee Agreement executed on November 27, 2002. The nature of the compensation Relators agreed to pay Cross & Bennett is detailed in the Agreement. Further, Cross & Bennett agreed to advance money for costs related to the matter and in the event of settlement or judgment, these costs will be reimbursed in full. A copy of the Agreement is attached as Exhibit #1 to this Notice of Attorney's Lien, without "Appendix A" referenced in the Agreement, which is not related to attorney compensation. A copy of the first Contingent Fee Agreement dated November 27, 2002 is attached as Exhibit #2.

3. On or about October 21, 2009, the Relators terminated the services of Cross & Bennett without cause.

4. The Plaintiffs and Relators may collect funds by way of settlement or judgment of the federal and pendant state claims in this matter. Accordingly, the Plaintiffs and Relators are indebted to Cross & Bennett for a portion of all Relator shares, monies, properties, choses in action, claims and demands in suit, upon any property which may be awarded to the Plaintiffs and Relators in this matter, and upon any money due to the Plaintiffs and Relators in the hands of the Defendants, including all relator share payments from the United States of America and all

relator share payments made from any of the states participating in the settlement or judgment of this matter.

WHEREFORE, by this notice, Cross & Bennett hereby claim an attorney's lien on a portion of all monies, properties, choses in action, claims and demands in suit, upon any property which may be awarded to any Relators in this matter, upon any and all Relator shares, including any money due to Relators that is in the hands of Defendants SMITH KLINE BEECHAM INC. and GLAXOSMITHKLINE PLC d/b/a GLAXOSMITHKLINE, and any Relator shares whether awarded by the United States of America and the Department of Justice, the states of California, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, Minnesota, North Carolina and Wisconsin, and the District of Columbia, or any other state or governmental body participating in the judgment or settlement of the claims herein, or resulting from the judgment or settlement of the claims herein, and any and all cases against the Defendants, sealed or unsealed, that are related in any way to the judgment or settlement of the claims herein, including but not limited to *United States ex rel. Gerahty v. GlaxoSmithKline PLC and SMITHKLINEBEECHAM PLC*, C.A. No. 1 03-CV-10641-NG filed in the United States District Court for the District of Massachusetts, and any other sealed or unsealed cases known or as yet unknown against these Defendants arising from or related to the same causes of action, and upon any money due to the Relators and Plaintiffs in the hands of the Defendants.

Respectfully submitted this 12th day of November 2009.

/s/ Keith Cross

Keith Cross, Esq.

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CERTIFICATE OF SERVICE

I further certify that on the 12th day of November, 2009 I caused to be served and delivered a true and correct copy of the foregoing to the following addressees:

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/s/ Dionne L. Alexander

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